IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

POWERLINE INNOVATIONS, LLC, *Plaintiff*, **v.** **(1) QUALCOMM INCORPORATED;** **(2) QUALCOMM ATHEROS, INC;** **(3) BROADCOM CORPORATION;** **(4) GIGLE NETWORKS INC.;** **(5) SPIDCOM TECHNOLOGIES S.A.;** **(6) SIGMA DESIGNS, INC.;** **(7) COPPERGATE COMMUNICATIONS LTD.;** **(8) COPPERGATE COMMUNICATIONS, INC.;** **(9) STMICROELECTRONICS N.V.;** **(10) STMICROELECTRONICS, INC.;** **(11) ARKADOS GROUP, INC.;** **(12) ARKADOS, INC.;** **(13) KAWASAKI MICROELECTRONICS; and** **(14) KAWASAKI MICROELECTRONICS AMERICA, INC.,** ***Defendants*.**	**Civil Action No. 6:11-cv-411** **JURY TRIAL DEMANDED**

PLAINTIFF'S ORIGINAL COMPLAINT

Plaintiff Powerline Innovations, LLC ("Plaintiff"), by and through its undersigned counsel, files this Original Complaint against Qualcomm Incorporated, Qualcomm Atheros, Inc., Broadcom Corporation, Gigle Networks Inc., SPiDCOM Technologies S.A., Sigma Designs, Inc., CopperGate Communications Ltd., CopperGate Communications, Inc., STMicroelectronics N.V., STMicroelectronics, Inc., Arkados Group, Inc., Arkados, Inc., Kawasaki Microelectronics, and Kawasaki Microelectronics America, Inc. (individually, a "Defendant" and collectively, the "Defendants") as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendants' infringement of Plaintiff's United States Patent No. 5,471,190 titled "Method and Apparatus for Resource Allocation in a Communication Network System" (the "'190 Patent"), a copy of which is attached hereto as Exhibit A). Plaintiff is the assignee of the '190 Patent. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

2. Plaintiff is a limited liability company organized and existing under the laws of the State of Texas. Plaintiff maintains its principal place of business at 555 Republic Drive, Suite 200, Plano, TX 75074. Plaintiff is authorized to do business in Texas. Plaintiff is the assignee of the '190 Patent, and possesses the right to sue for infringement and recover past damages.

3. On information and belief, Defendant Qualcomm Incorporated ("Qualcomm") is a Delaware corporation with its principal place of business at 5775 Morehouse Drive, San Diego, CA 92121. This Defendant has appointed The Prentice-Hall Corporation System, Inc., 2711 Centerville Road, Suite 400, Wilmington, DE 19808, as its agent for service of process.

4. On information and belief, Defendant Qualcomm Atheros, Inc. ("Qualcomm Atheros") is a subsidiary of Qualcomm and a Delaware corporation with its principal place of business at 1700 Technology Drive, San Jose, CA 95110. This Defendant has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808, as its agent for service of process.

5. On information and belief, Defendant Broadcom Corporation ("Broadcom") is a Delaware corporation with its principal place of business at 5300 California Avenue, Irvine, CA

92617. This Defendant has appointed National Registered Agents, Inc., 2875 Michelle Drive, Suite 100, Irvine, CA 92606, as its agent for service of process.

6. On information and belief, Defendant Gigle Networks Inc. ("Gigle") is a Delaware corporation with its principal place of business at 5300 California Avenue, Irvine, CA 92617. This Defendant has appointed National Registered Agents, Inc., 160 Greentree Drive Suite 101, Dover, DE 19904, as its agent for service of process.

7. On information and belief, Defendant SPiDCOM Technologies S.A. ("SPiDCOM") is a French corporation with its principal place of business at 137, avenue du général Leclerc, F-92340 Bourg la Reine, France. On information and belief, this Defendant may be served at 137, avenue du général Leclerc, F-92340 Bourg la Reine, France, via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.

8. On information and belief, Defendant Sigma Designs, Inc. ("Sigma") is a California corporation with its principal place of business at 1778 McCarthy Blvd., Milpitas, CA 95035. This Defendant has appointed Thomas E. Gay III, 1778 McCarthy Blvd., Milpitas, CA 95035, as its agent for service of process.

9. On information and belief, Defendant CopperGate Communications Ltd. ("CopperGate") is an Israeli corporation with its principal place of business at 38 Habarzel St., 69710 Tel Aviv, Israel. On information and belief, this Defendant may be served at 38 Habarzel St., 69710 Tel Aviv, Israel, via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.

10. On information and belief, Defendant CopperGate Communications, Inc. ("CopperGate USA") is a subsidiary of CopperGate and a Delaware corporation with its

principal place of business at 1778 McCarthy Blvd., Milpitas, CA 95035. This Defendant has appointed Incorporating Services, Ltd., 3500 South Dupont Highway, Dover, DE 19901, as its agent for service of process.

11. On information and belief, Defendant STMicroelectronics N.V. (“STMicroelectronics”) is a Swiss corporation with its principal place of business at 39, Chemin du Champ des Filles, 1228 Plan-Les-Ouates, Geneva, Switzerland. On information and belief, this Defendant may be served at 39, Chemin du Champ des Filles, 1228 Plan-Les-Ouates, Geneva, Switzerland, via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.

12. On information and belief, Defendant STMicroelectronics, Inc. (“STMicroelectronics USA”) is a subsidiary of STMicroelectronics and a Delaware corporation with its principal place of business at 750 Canyon Drive, Suite 300, Coppell, TX 75019. This Defendant has appointed Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801, as its agent for service of process.

13. On information and belief, Defendant Arkados Group, Inc. (“Arkados Group”) is a Delaware corporation with its principal place of business at 220 Old New Brunswick Road, Piscataway, NJ 08854. This Defendant has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808, as its agent for service of process.

14. On information and belief, Defendant Arkados, Inc. (“Arkados”) is a Delaware corporation with its principal place of business at 220 Old New Brunswick Road, Piscataway, NJ 08854. This Defendant has appointed Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801, as its agent for service of process.

15. On information and belief, Defendant Kawasaki Microelectronics ("K-Micro") is a Japanese corporation with its principal place of business at Makuhari Techno Garden B-11F, 1-3, Nakase, Mihama-ku, Chiba, 261-8501, Japan. On information and belief, this Defendant may be served at Makuhari Techno Garden B-11F, 1-3, Nakase, Mihama-ku, Chiba, 261-8501, Japan, via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.

16. On information and belief, Defendant Kawasaki Microelectronics America, Inc. ("K-Micro USA") is the subsidiary of K-Micro and a California corporation with its principal place of business at 2550 North First Street, Suite 500, San Jose, CA 95131. This Defendant has appointed C T Corporation System, 818 West Seventh Street, Los Angeles, CA 90017, as its agent for service of process.

JURISDICTION AND VENUE

17. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

18. The Court has personal jurisdiction over each Defendant because: each Defendant has minimum contacts within the State of Texas and the Eastern District of Texas; each Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern District of Texas; each Defendant has sought protection and benefit from the laws of the State of Texas; each Defendant regularly conducts business within the State of Texas and within the Eastern District of Texas; and Plaintiff's cause of action arises directly from each Defendant's business contacts and other activities in the State of Texas and in the Eastern District of Texas.

19. More specifically, each Defendant, directly and/or through intermediaries, ships, distributes, offers for sale, sells, and/or advertises (including the provision of an interactive web page) its products and services in the United States, the State of Texas, and the Eastern District of Texas. Upon information and belief, each Defendant has committed patent infringement in the State of Texas and in the Eastern District of Texas, has contributed to patent infringement in the State of Texas and in the Eastern District of Texas, and/or has induced others to commit patent infringement in the State of Texas and in the Eastern District of Texas. Each Defendant solicits and has solicited customers in the State of Texas and in the Eastern District of Texas. Each Defendant has many paying customers who are residents of the State of Texas and the Eastern District of Texas and who each use and have used the respective Defendants' products and services in the State of Texas and in the Eastern District of Texas.

20. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391 and 1400(b).

COUNT I – PATENT INFRINGEMENT

21. The '190 Patent was duly and legally issued by the United States Patent and Trademark Office on November 28, 1995, after full and fair examination. Plaintiff is the assignee of the '190 Patent, and possesses all rights of recovery under the '190 Patent with respect to the Defendants, including the right to sue for infringement and recover past damages.

22. Upon information and belief, Defendants Qualcomm and Qualcomm Atheros have infringed and continue to infringe one or more claims of the '190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) these Defendants' products, including, without limitation, AR7400 chipset products, which employ methods for establishing

control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

23. Upon information and belief, Defendant Broadcom has infringed and continues to infringe one or more claims of the ’190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) this Defendant’s products, including, without limitation, BCM60541 chipset products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

24. Upon information and belief, Defendant Gigle has infringed and continues to infringe one or more claims of the ’190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) this Defendant’s products, including, without limitation, the GGL301 chipset products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

25. Upon information and belief, Defendant SPiDCOM has infringed and continues to infringe one or more claims of the ’190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) this Defendant’s products, including, without limitation, SPC310 HomePlug AV SoC products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

26. Upon information and belief, Defendant Sigma has infringed and continues to infringe one or more claims of the ’190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) this Defendant’s products, including, without limitation, CG5110 Chipset products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

27. Upon information and belief, Defendants CopperGate and CopperGate USA have infringed and continue to infringe one or more claims of the ’190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) these Defendants’ products, including, without limitation, CG5110 Chipset products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

28. Upon information and belief, Defendants STMicroelectronics and STMicroelectronics USA have infringed and continue to infringe one or more claims of the ’190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) these Defendants’ products, including, without limitation, AI-2100 Chipset products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the ’190 Patent to the injury of Plaintiff.

29. Upon information and belief, Defendants Arkados Group and Arkados have infringed and continue to infringe one or more claims of the ’190 Patent in the State of Texas, in

this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) these Defendants' products, including, without limitation, AI-2100 Chipset products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the '190 Patent to the injury of Plaintiff.

30. Upon information and belief, Defendants K-Micro and K-Micro USA have infringed and continue to infringe one or more claims of the '190 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by making, using, providing, offering to sell, and selling (directly or through intermediaries) these Defendants' products, including, without limitation, KHN13100 Chip Set products, which employ methods for establishing control relationships between plural devices in a home electrical system covered by one or more claims of the '190 Patent to the injury of Plaintiff.

31. Each Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

32. Plaintiff is entitled to recover from the Defendants the damages sustained by Plaintiff as a result of the Defendants' wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

33. Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

Plaintiff respectfully requests that the Court find in its favor and against Defendants, and that the Court grant Plaintiff the following relief:

A. An adjudication that one or more claims of the ’190 Patent has been infringed, either literally and/or under the doctrine of equivalents, by Defendants and/or by others to whose infringement Defendants have contributed and/or by others whose infringement has been induced by Defendants;

B. An award to Plaintiff of damages adequate to compensate Plaintiff for the Defendants’ acts of infringement together with pre-judgment and post-judgment interest;

C. That the Defendants’ acts of infringement be found to be willful from the time that Defendants became aware of the infringing nature of its actions, which is the time of filing of Plaintiff’s Original Complaint, at the latest, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;

D. That this Court declare this to be an exceptional case and award Plaintiff its reasonable attorneys’ fees and costs in accordance with 35 U.S.C. §285; and

E. Any further relief that this Court deems just and proper.

Respectfully submitted,

Dated: August 6, 2011

By: /s/ Hao Ni

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